

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 5618

PERMIT 4020

LICENSE 2542

ORDER ALLOWING CHANGE IN POINT OF REDIVERSION  
AND CHANGE IN PLACE OF USE

Licensee having established to the satisfaction of the State Water Rights Board that the change in point of rediversion and change in place of use under Application 5618, Permit 4020, License 2542, for which petitions were submitted on April 14, 1959 and December 1, 1959, will not operate to the injury of any other legal user of water, the Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of rediversion under said Application 5618, Permit 4020, License 2542, so that the points of diversion and points of rediversion are as follows, to wit:

POINTS OF DIVERSION

- (1) ECHO LAKE DAM: THE CENTER LINE OF THE OUTLET WORKS ON THE AXIS OF ECHO LAKE DAM IS SOUTH EIGHT DEGREES FIFTEEN MINUTES WEST (S 8° 15' W), ONE THOUSAND ONE HUNDRED EIGHTY-FIVE (1185) FEET FROM THE NE CORNER OF SECTION 1, T11N, R17E, MDB&M, BEING WITHIN THE NE $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SAID SECTION 1.
- (2) MEDLEY-LAKES DAM: THE POINT WHERE THE CENTER LINE OF THE STREAM INTERSECTS THE AXIS OF THE MAIN DAM CREATING MEDLEY-LAKES RESERVOIR IS AS NEARLY AS CAN BE DETERMINED FROM DATA AVAILABLE SOUTH FIFTY DEGREES FORTY MINUTES WEST (S 50° 40' W), TWO THOUSAND ONE HUNDRED NINETY-FIVE (2195) FEET FROM THE NE CORNER OF SECTION 30, T12N, R17E, MDB&M, BEING WITHIN THE SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SAID SECTION 30.
- (3) TWIN LAKES MAIN DAM: THE SOUTH ABUTMENT OF THE MAIN DAM IS LOCATED NORTH SEVENTY DEGREES FIFTY-FOUR MINUTES EAST (N 70° 54' E), NINE HUNDRED TWENTY-TWO AND THREE TENTHS (922.3) FEET FROM THE SW CORNER OF SECTION 18, T10N, R18E, MDB&M. THE AXIS OF THE DAM INTERSECTS THE CENTER LINE OF THE STREAM AT A POINT NORTH FIFTY-ONE DEGREES FORTY MINUTES EAST (N 51° 40' E), ONE THOUSAND FOUR HUNDRED (1400) FEET FROM THE SW CORNER OF SAID SECTION 18; THESE POINTS AND THE BULK OF THE DAM BEING WITHIN THE SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SAID SECTION 18.

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 5618

PERMIT 4020

LICENSE 2542

- (4) SILVER LAKE DAM: THE AXIS OF THE DAM INTERSECTS THE CENTER LINE OF THE STREAM AT A POINT NORTH SIXTY-FIVE DEGREES THIRTY MINUTES EAST (N 65° 30' E), THREE THOUSAND TWO HUNDRED SIXTY (3260) FEET FROM THE SW CORNER OF SECTION 32, T10N, R17E, MDB&M, BEING WITHIN THE NW $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SAID SECTION 32.

POINTS OF REDIVERSION

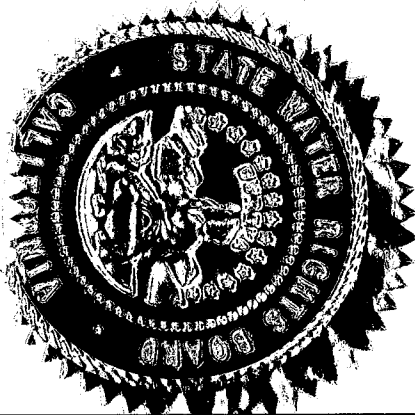
- (1) FOLSOM DAM: SOUTH THIRTY DEGREES EIGHTEEN MINUTES WEST (S 30° 18' W), TWO THOUSAND SEVEN HUNDRED FIFTEEN (2715) FEET FROM NE CORNER SECTION 24, T10N, R7E, MDB&M, BEING WITHIN SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SAID SECTION 24 IN SACRAMENTO COUNTY.
- (2) NIMBUS DAM: SOUTH THIRTY-THREE DEGREES THIRTY MINUTES EAST (S 33° 30' E), TWO THOUSAND NINE HUNDRED FIFTY (2950) FEET FROM NW CORNER OF PROJECTED SECTION 16, T9N, R7E, MDB&M, BEING WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF SAID PROJECTED SECTION 16 IN SACRAMENTO COUNTY.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 5618, Permit 4020, License 2542, to a place of use described as follows, to wit:

- (1) AT FOLSOM POWER PLANT IMMEDIATELY DOWNSTREAM FROM FOLSOM DAM AND LOCATED IN APPROXIMATELY THE NW $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SECTION 24, T10N, R7E, MDB&M, IN SACRAMENTO COUNTY.
- (2) AT NIMBUS POWER PLANT SITUATED AT NIMBUS DAM AND LOCATED IN APPROXIMATELY THE SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 16, T9N, R7E, MDB&M, IN SACRAMENTO COUNTY.

THE WATER WILL BE RETURNED TO AMERICAN RIVER BELOW NIMBUS POWER PLANT WITHIN SE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF PROJECTED SECTION 16, T9N, R7E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 31<sup>st</sup> day of AUG, 1960



*L. K. Hill*  
L. K. Hill  
Executive Officer



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2542

PERMIT 4020

APPLICATION 5618

THIS IS TO CERTIFY, That

Pacific Gas and Electric Company  
San Francisco, California

Notice of Assignment (Over)

0022

has made proof to the satisfaction of the Division of Water Resources of California of a right to the use of the waters of (1) Echo Lake and (2) Medley Lakes in Eldorado County, (3) Twin Lakes in Alpine County, and (4) Silver Lake in Amador County

tributaries of (1) Upper Truckee River, (2) South Fork American River, (3) and (4) Silver Fork American River for the purpose of power use under Permit 4020

of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from July 23, 1927;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed two thousand (2,000) acre feet per annum at Echo Lake Reservoir, fifty-nine hundred (5900) acre feet per annum at Medley Lakes Reservoir, twenty-five thousand (25,000) acre feet per annum at Twin Lakes Reservoir and ten thousand (10,000) acre feet per annum at Silver Lake Reservoir making a combined total of forty-two thousand nine hundred (42,900) acre feet per annum to be collected from January 1st to December 31st of each season, with the following limitation or condition:

The right herein confirmed shall not exceed such storage as may be made available by the Echo Lake Reservoir of eighteen hundred ninety (1890) acre feet net capacity, by the Medley Lakes Reservoir of fifty-one hundred seventy-nine (5179) acre feet net capacity, by the Twin Lakes Reservoir of twenty-one thousand five hundred eighty-one (21,581) acre feet net capacity, by the Silver Lake Reservoir of eighty-seven hundred twenty-six (8726) acre feet net capacity, and as may be required, together with other presently existing rights of licensees, to deliver for the purposes herein described, a total of one thousand (1000) cubic feet per second through the Folsom Hydro-electric plant.

The points of diversion of such waters are located:

- (1) Echo Lake Dam. The center line of the outlet works on the axis of Echo Lake Dam is South  $8^{\circ} 15'$  West eleven hundred eighty-five (1185) feet from the N.E. Corner of Section 1, T 11 N, R 17 E, M.D.B.&M., being within the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 1.
- (2) Medley Lakes Dam. The point where the center line of the stream intersects the axis of the main dam creating Medley Lakes Reservoir is as nearly as can be determined from data available South  $50^{\circ} 40'$  West twenty-one hundred ninety-five (2195) feet from the N.E. Corner of Section 30, T 12 N, R 17 E, M.D.B.&M., being within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 30.
- (3) Twin Lakes Main Dam. The south abutment of the main dam is located North  $70^{\circ} 54'$  East nine hundred twenty-two and three tenths (922.3) feet from the S.W. Corner of Section 18, T 10 N, R 18 E, M.D.B.&M. The axis of the dam intersects the center line of the stream at a point North  $51^{\circ} 40'$  East fourteen hundred (1400) feet from the S.W. Corner of said Section 18; these points and the bulk of the dam being within the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 18.

~~A description of the lands on the place where such water is put to beneficial use is as follows:~~

- (4) Silver Lake Dam. The axis of the dam intersects the center line of the stream at a point North  $65^{\circ} 30'$  East thirty-two hundred sixty (3260) feet from the S.W. Corner of Section 32, T 10 N, R 17 E, M.D.B.&M., being within the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 32.

The point of redirection is located:

On the American River at the Folsom Canal head-dam located North  $68^{\circ} 30'$  East one thousand five (1005) feet from the S.W. Corner of Section 24, T 10 N, R 7 E, M.D.B.&M., being within the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 24.

A description of the lands or the place where such water is put to beneficial use is as follows:

At Folsom Hydro-electric Plant in Sacramento County being within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, T 10 N, R 7 E, M.D.B.&M.

After use for power purposes the water is returned to the American River within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, T 10 N, R 7 E, M.D.B.&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Division of Water Resources in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Division of Water Resources.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights herein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes of 1913, as amended, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this section and likewise the statement that any appropriator of water, to whom said permit or license may be issued, shall take the same subject to such conditions as therein expressed; provided, that at any time after the expiration of twenty years after the granting of a license, the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state shall have the right to purchase the works and property occupied and used under said license and the works built or constructed for the enjoyment of the rights granted under said license; and in the event that the said state, city, city and county, municipal water district, irrigation district, lighting district or political subdivision of the state so desiring to purchase and the said owner of said works and property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any time after a permit or license is issued as in this act provided that the permittee, or licensee, or the heirs, successors, or assigns, of said permittee or licensee, has not put the water granted under said permit or license to the useful or beneficial purpose for which the permit or license was granted, or that the permittee or licensee, or the heirs, successors, or assigns of said permittee or licensee, has ceased to put said water to such useful or beneficial purpose, or that the permittee or licensee, or the heirs, successors or assigns of said permittee or licensee, has failed to observe any of the terms and conditions in the permit or license as issued, then and in that case the said commission, after due notice to the permittee, licensee, or the heirs, successors or assigns of such permittee or licensee, and a hearing thereon, may revoke said permit or license and declare the water to be unappropriated and open to further appropriation in accordance with the terms of this act. The findings and declaration of said commission shall be deemed to be prima facie correct until modified or set aside by a court of competent jurisdiction; provided, that any action brought so to modify or set aside such finding or declaration must be commenced within thirty days after the service of notice of said revocation on said permittee or licensee, his heirs, successors or assigns. And every licensee or permittee under the provisions of this act if he accepts such permit or license shall accept the same under the conditions precedent that no value whatsoever in excess of the actual amount paid to the state therefor shall at any time be assigned to or claimed for any permit or license granted or issued under the provisions of this act, or for any rights granted or acquired under the provisions of this act, in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or licensee, his heirs, successors or assigns or by the holder of any rights granted or acquired under the provisions of this act, or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the state or any city, city and county, municipal water district, irrigation district, lighting district or any political subdivision of the state, of the rights and property of any permittee or licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this act. The application for a permit by municipalities for the use of water for said municipalities or the inhabitants thereof for domestic purposes shall be considered first in right, irrespective of whether they are first in time; provided, however, that such application for a permit or the granting thereafter of permission to any municipality to appropriate waters, shall not authorize the appropriation of any water for other than municipal purposes; and providing, further, that where permission to appropriate is granted by the state water commission to any municipality for any quantity of water in excess of the existing municipal needs therefor, that pending the application of the entire appropriation permitted, the state water commission shall have the power to issue permits for the temporary appropriation of the excess of such permitted appropriation over and above the quantity being applied from time to time by such municipality; and providing, further, that in lieu of the granting of such temporary permits for appropriation, the state water commission may authorize such municipality to become a part of such surplus public utility, subject to the jurisdiction and control of the railroad commission of the State of California for such period or periods from and after the date of the issuance of such permission to appropriate, as may be allowed for the application to municipal uses of the entire appropriation permitted; and providing, further, that when such municipality shall desire to use the additional water granted in its said application it may do so upon making just compensation for the facilities for taking, conveying and storing such additional water rendered valueless for said purposes, to the person, firm or corporation which constructed said facilities for the temporary use of said excess waters, and which compensation, if not agreed upon between the municipality and said person, firm or corporation, may be determined in the manner provided by law for determining the value of property taken by and through eminent domain proceedings.



Witness my hand and the seal of the Department of Public  
Works of the State of California, this first  
day of February, 1943.

EDWARD HYATT  
State Engineer

By Harold Conkling  
Deputy

2-1-80 Name chgd to U.S. Water Power  
Res. Service.

4/16/59

RECEIVED DEPT. OF AGRICULTURE

U.S. Dept. of Interior,  
Bureau of Reclamation

LICENSE 2542

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Pacific Gas & Electric Company

DATED February 1, 1943